

FILED

UNITED STATES COURT OF APPEALS

FEB 24 2017

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

WILLIAM S. POFF,

Defendant-Appellant.

No. 16-30141

PRO BONO

D.C. No.

2:09-cr-00160-JLR-3

Western District of Washington,  
Seattle

ORDER

Before: Peter L. Shaw, Appellate Commissioner.

Upon review of the record and the briefing, this court has determined that the appointment of pro bono counsel in this appeal would benefit the court's review. The court by this order expresses no opinion as to the merits of this appeal. The Clerk shall enter an order appointing pro bono counsel to represent appellant for purposes of this appeal only.

Pro bono counsel shall consult with appellant to determine whether: (1) replacement briefing; or (2) supplemental briefing and appellant's previously filed brief, will be submitted to the judges deciding this appeal. The court encourages the submission of replacement briefing rather than supplemental

briefing. Appellee shall also file a replacement or supplemental brief, or shall notify the court in writing that appellee stands on the previously filed answering brief. Both parties shall state on the cover pages of the briefs whether they are replacement briefs or supplemental briefs.

The parties may file replacement or supplemental excerpts of record. If replacement excerpts of record are filed, the previously tendered excerpts will be stricken. The absence of replacement excerpts of record will be treated as a joinder in the previously submitted excerpts.

The Clerk shall establish a supplemental/replacement briefing schedule. Pro bono counsel shall appear at oral argument. The appeal is stayed pending further order of this court.

If appellant objects to the court's appointment of counsel in this appeal, appellant shall file a written objection within 14 days after the date of this order.